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1733
ATTORNEY DOCKET NO. :
Application No.:
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PATENT
ATTORNEY DOCKET NO.: 60982-0004
(Formerly 11076-004)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
KUPER) Confirmation No.: 1185
Application No.: 09/938,287) Group Art Unit: 1733
Filed: August 23, 2001) Examiner: S. YAO
For: METHODS OF UTILIZING SOL-GEL PROCESSING
IN THE PRODUCTION OF A MACROSCOPIC TWO OR
THREE DIMENSIONALLY ORDERED ARRAY OF
SINGLE WALLED NANOTUBES

Commissioner for Patents
Mail Stop AS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated October 10, 2003.

2. Additional papers enclosed:

- ☒ Drawings: ☒ Formal ☐ Informal (Correction)
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- X Revocation of Original Power of Attorney and Grant of New Power of Attorney

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

X Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: \$

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	?	minus	?	?	x \$18 each=	+ \$
Independent Claims (37 C.F.R. §1.16(b))	?	minus	?	?	x \$86 each=	+ \$
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ 0

6. Fee Payment

X No fee is to be paid at this time.

☐ Check in the amount of \$ _____ for _____. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 12, 2004

By:



Dean L. Fanelli Reg. No. 48,907

For Victor N. Balancia Reg. No. 31,231

CUSTOMER NO. 09629

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